

COURT DIVISION GT BARRINGTON		<input type="checkbox"/> Interpreter Required (language):		DATE & JUDGE 8-12-99 8-12-99		DOCKET ENTRY	
NAME, ADDRESS AND ZIP CODE OF DEFENDANT Thomas Bratter Main Street Gt barrington, Ma 01230						<input type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied & Deft advised per 211D §2A <input type="checkbox"/> Waiver of counsel found after colloquy Terms of release set: <input checked="" type="checkbox"/> PR <input type="checkbox"/> Bail: NO OTHER VICTIM <input type="checkbox"/> Held (276 §58A) <input type="checkbox"/> See back for special conditions	
DEFT, DOB AND SEX 5/18/39 M		OFFENSE CODE(S) 610				Arraigned and advised: <input checked="" type="checkbox"/> Potential of bail revocation (276 §58) <input type="checkbox"/> Right to bail review (276 §58) <input type="checkbox"/> Right to drug exam (111E §10)	
DATE OF OFFENSE(S) 2/28/99		PLACE OF OFFENSE(S) Gt barrington				Advised of right to jury trial <input type="checkbox"/> Does not waive <input checked="" type="checkbox"/> Waiver of jury trial found after colloquy	
COMPLAINANT John H. Beckwith		POLICE DEPARTMENT (if applicable) Gt Barrington		10/5/02 McElroy		Advised of trial rights as pro se (Supp.R. 4) Advised of right of appeal to Appeals Ct (R. 28)	
DATE OF COMPLAINT 8/3/99		RETURN DATE AND TIME 8/12/99 8:30 am rep to prob					

COUNT-OFFENSE a. INDICENT A&B ON PERSON 14 OR OVER c265 s13H				FINE		SURFINE		COSTS		RESTITUTION		V/W ASSESSMENT 35- <input type="checkbox"/> WAIVED	
DISPOSITION DATE & JUDGE 6-25-02 McElroy, J.				SENTENCE OR OTHER DISPOSITION									
DISPOSITION METHOD <input checked="" type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy & 278 §29D warning to lesser charges				FINDING <input type="checkbox"/> Not Guilty <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause				<input checked="" type="checkbox"/> Probation 8/11/03 <input type="checkbox"/> Pretrial probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/ restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)					
				FINAL DISPOSITION <input checked="" type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated; defendant discharged				JUDGE young woman DATE 18 or under. spec cond no unsupervised contact w					
COUNT-OFFENSE Assault & Battery				FINE		SURFINE		COSTS		RESTITUTION		V/W ASSESSMENT	
DISPOSITION DATE & JUDGE 6-25-02 McElroy, J.				SENTENCE OR OTHER DISPOSITION									
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy & 278 §29D warning				FINDING <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause				<input type="checkbox"/> Probation <input type="checkbox"/> Pretrial probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/ restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)					
				FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated; defendant discharged				JUDGE 58/mr prob paper filed DATE 4-27-01					

COUNT-OFFENSE Assault & Battery				FINE		SURFINE		COSTS		RESTITUTION		V/W ASSESSMENT	
DISPOSITION DATE & JUDGE 6-25-02 McElroy, J.				SENTENCE OR OTHER DISPOSITION									
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				FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated; defendant discharged				JUDGE 4-27-01 DATE 4-27-01					

COUNT-OFFENSE Assault & Battery				FINE		SURFINE		COSTS		RESTITUTION		V/W ASSESSMENT	
DISPOSITION DATE & JUDGE 6-25-02 McElroy, J.				SENTENCE OR OTHER DISPOSITION									
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				FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated; defendant discharged				JUDGE 4-27-01 DATE 4-27-01					

9929C R0656 4-27-01
Thomas Bratter
Motions & Records in the Safe

A TRUE COPY ATTEST: X		CLERK-MAGISTRATE/ASST. CLERK		ON (DATE)		COURT ADDRESS 9 Gilmore Avenue Gt. Barrington, MA 01230		<input type="checkbox"/> ADDITIONAL COUNTS ATTACHED	
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SCHEDULING HISTORY							
NO.	SCHEDULED DATE	SCHEDULED EVENT	RESULT		JUDGE	TAPE NO.	START STOP
1	7-12-98	PM	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	9-9-99 PTH	JBM	
2	9-9-99	PTH	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	10-4-99 9AM	Rutberg	
3	10-4-99	9am	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	11-1-99 PTH	JBM	
4	11-1-99	PTH	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	12-9-99 PTH	JBM	
5	12-9-99	PTH	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	12-30-99 PTH	Vrabel	
6	12-30-99	PTH	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	1-26-00 PTH	McElroy	
7	1-26-00	PTH	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	3-1-00 PTH	McElroy	
8	3-1-00	PTH	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	5-12-00 Jury Trial	Rutberg	
9	5-12-00		<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	5/30/00 JT	PV	
10	5-26-00	BF M	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd	5/30/00 PTH	AAR	

ARR=Arraignment PT=Pretrial hearing CE=Discovery compliance & jury election T=Bench trial J=Jury trial PC=Probable cause hearing M=Motion hearing SR=Status review
 SRP=Status review of payments FA=First appearance in jury session S=Sentencing CW=Continuance-without-finding scheduled to terminate P=Probation scheduled to terminate
 DFTA=Defendant failed to appear & was defaulted WAR=Warrant issued WARD=Default warrant issued WR=Warrant or default warrant recalled PR=Probation revocation hearing

ENTRY DATE	OTHER DOCKET ENTRIES		
9-9-99	Discovery Numerous Motions filed	Arraigned	7-12-98
10-4-99	Compliance date of 11-1-99 - JBM	Pol. Rpt./Record Prov.	8-12-98
10-15-99	Defendant's Motion #10 for Information re Hist of Drug Abuse	PreTrial Hear. Sched.	
	abuse of Compl. - Denied JBM	PreTrial Conf. Report	3-1-00
		Motions Filed	9-9-99
10-15-99	Defendant's Motion #6 Re Psych. Hist. of Complaining Witnesses - Denied JBM	Motions Heard	10-4-99
		Waiver of Counsel	
		Waiver of Jury Trial	
3-1-00	Case Believed in jury	Tender of Plea or/Adm.	
5-30-00	6-7-00 PTH per McElroy	Notice of Bench Trial	

ADDITIONAL ASSESSMENTS IMPOSED OR WAIVED

DATE IMPOSED & JUDGE	TYPE OF ASSESSMENT	AMOUNT	DUE DATES & COMMENTS	✓ WAIVED
1	Legal Counsel Fee (211D §2A ¶2)	3/1/00	Received Case Jury Session	
1	Legal Counsel Contribution (211D §2)	6-15-00	Cont'd to 6-29-00 PTH per McElroy	
	Court Costs (280 §6)			
	Drug Analysis Fee (280 §6B)			
	OUI §24D Fee (90 §24D ¶9)			
	OUI Head Injury Surfine (90 §24[1][a][1] ¶2)			
	Probation Supervision Fee (276 §87A)			
	Default Warrant Assessment Fee (276 §30 ¶2)			
	Default Warrant Removal Fee (276 §30 ¶1)			

DOCKET
CONTINUATION

NAME OF CASE

Thomas Bratter

DOCKET NUMBER

9929CR 0656

NO.	DATE	DOCKET ENTRIES
	6-21-00	Order for Records issued. Notice to patient & parent issued. <i>per McElroy, J.</i>
	6-30-00	Order for Records issued for a second time to a institutions. Notice to patient & parent issued. Cont'd 7-17-00 PTH. & status. <i>per McElroy, J.</i>
	7-17-00	Records produced by DSS + Charles River Hospital. No records produced by AD Care Hospital but confidentiality asserted per Federal statutes. No records found, as yet, by Providence Hospital. As no privilege has been asserted by complaining witness nor DSS, DSS records shall be made available to both defense counsel and the Commonwealth. An order as to The Charles River Hosp. records shall be forthcoming from the Court. Further efforts to detain compliance by AD Care and Providence Hospital shall be undertaken. <i>(The Hon. J. J. McElroy, Jr.)</i>
	8/21/00	C to 8/21/00 @ 9 AM (Attys only) 10
	8/24/00	c 9/11/00 9 AM is notice to Atty Cohen RAB for status
	8-28-00	BF Cont'd to 9-6-00 status conf <i>per Barabunga, J.</i>
	9-6-00	Cont'd 9-19-00 status conf. before <i>McElroy, J.</i>
	9-19-00	DA's office awaiting receipt of SSN from victim. <i>per Rutledge</i> Remanded to SBDC for Bishop motion proceedings. <i>per Unabell, J.</i>
	7-26-01	Spoke to Atty Cohen dec to file Motion regarding this case Cont'd to 9-27-01 for status <i>per Unabell, J.</i>

NO.	DATE	DOCKET ENTRIES
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9-27-01	Cont'd to 11-28-01 for Status Rev. TBM
11-27-01	Findings & Rulings Pursuant to Defendant's Motion for Discovery Under Commonwealth v Bishop
11-27-01	Copy "in hand" to Atty L. Cohen
	Atty Cohen to appear on 11-29-01 at 9AM
11-27-01	Copy "In Hand" to Atty J. Mc Menamy
	for Atty. K. Mulcahy. Also informed her case will be heard 11-29-01 at 9AM not 11-28-01 L.A.A.
11-29-01	Cont'd to 3-27-02 for Jury Trial TBM
11-29-01	Received Case Jury Session
3-22-02	BF Mc Defendant's Motion to Continue filed and allowed. Cont'd to 6-25-02 (J). per McElroy, J.
6/25/02	Tender of Admission, unagreed, filed.
6/25/02	Jury trial waiver filed.
6/25/02	Admission to facts sufficient. See front. per McElroy, J.
6/25/02	Cont'd. to 8-1-02 2PM for sentencing. per McElroy, J.
7/30/02	BF Cont'd to 8/5/02 2PM for sentencing before McElroy, J. per McElroy, J.

Trial Court of Massachusetts
District Court DepartmentTO ANY JUSTICE OR CLERK-MAGISTRATE
OF THE DISTRICT COURT DEPARTMENT:

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.

COURT DIVISION GT BARRINGTON		NAME, ADDRESS AND ZIP CODE OF DEFENDANT Thomas Bratter Main Street Gt barrington, Ma 01230	
DEFT. DOB AND SEX 5/18/39 M	OFFENSE CODE(S) 610		
DATE OF OFFENSE(S) 2/28/99	PLACE OF OFFENSE(S) Gt barrington		
COMPLAINANT John H. beckwith		POLICE DEPARTMENT (if applicable) Gt Barrington	
DATE OF COMPLAINT 8/3/99	RETURN DATE AND TIME 8/12/99 8:30 am rep to prob		
COUNT-OFFENSE a. INDECENT A&B ON PERSON 14 OR OVER c265 s13H			

did commit an indecent assault and battery on a person who had attained age 14, without the consent of said person, in violation of G.L. c.265, s.13H.

COUNT-OFFENSE			
COUNT-OFFENSE			
COUNT-OFFENSE			
COUNT-OFFENSE			
COMPLAINANT X <i>John H. Beckwith</i>		SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK X <i>Thomas A. Herald</i>	ON (DATE) 8-3-99
FIRST JUSTICE James B. McElroy		COURT ADDRESS 9 Gilmore Avenue Gt. Barrington, MA 01230	
A TRUE COPY ATTEST: X		CLERK-MAGISTRATE/ASST. CLERK	ON (DATE)

☐ ADDITIONAL
COUNTS
ATTACHED

☐ ARREST ☐ HEARING ☒ SUMMONS ☐ WARRANT

The within named complainant requests that a complaint issue against the within named defendant, charging said defendant with the offense(s) listed below.

DATE OF APPLICATION 07-29-99 DATE OF OFFENSE 02-28-99 PLACE OF OFFENSE Great Barrington

COURT DIVISION

Gt. Barrington District Court
9 Gilmore Avenue
Gt. Barrington, MA 01230

NAME OF COMPLAINANT

Chief William R. Walsh Jr.

NO.

OFFENSE

G.L. Ch. and Sec.

ADDRESS AND ZIP CODE OF COMPLAINANT

Great Barrington Police Dept.

1.

Indecent A&B on person over 14 yrs old

265-13H

2.

3.

4.

NAME, ADDRESS AND ZIP CODE OF DEFENDANT

Thomas Bratter

Main St.

Great Barrington, MA 01230

Residence

53 Logan Rd.

Salisbury, CT.

COURT USE ONLY →

A hearing upon this complaint application will be held at the above court address on

DATE OF HEARING

TIME OF HEARING

AT

COURT USE ← ONLY

CASE PARTICULARS — BE SPECIFIC

NO.	NAME OF VICTIM Owner of property, person assaulted, etc.	DESCRIPTION OF PROPERTY Goods stolen, what destroyed, etc.	VALUE OR PROPERTY Over or under \$250.	TYPE OF CONTROLLED SUBSTANCE OR WEAPON Marijuana, gun, etc.
1				
2				
3				
4				

OTHER REMARKS: , See attached report

x *William R. Walsh Jr.*
SIGNATURE OF COMPLAINANT

DEFENDANT IDENTIFICATION INFORMATION — Complete data below if known.

DATE OF BIRTH 5/18/39	PLACE OF BIRTH	SOCIAL SECURITY NUMBER	SEX M	RACE W	HEIGHT	WEIGHT	BES	HAIR
OCCUPATION	EMPLOYER/SCHOOL	MOTHER'S NAME (MAIDEN)	FATHER'S NAME					

↓ COURT USE ONLY ↓

DATE	DISPOSITION	AUTHORIZED BY
	NO PROCESS TO ISSUE <input type="checkbox"/> At request of complainant <input type="checkbox"/> Complainant failed to prosecute <input type="checkbox"/> Insufficient evidence having been presented	
	PROCESS TO ISSUE <input type="checkbox"/> Sufficient evidence presented <input type="checkbox"/> Defendant failed to appear <input type="checkbox"/> Continued to _____	TYPE OF PROCESS <input type="checkbox"/> Warrant <input type="checkbox"/> Summons returnable

COMMENTS